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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/581,567	06/02/2006	Jean-Marie Vau	87173/KNM	5516
1333 7590 07/08/2009 EASTMAN KODAK COMPANY PATENT LEGAL STAFF 343 STATE STREET ROCHESTER, NY 14650-2201			EXAMINER SARWAR, BABAR	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 07/08/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/581,567

Applicant(s)

VAU ET AL.

Examiner

BABAR SARWAR

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2009.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-5 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to **claim 1-5** have been considered but are moot in view of the new ground(s) of rejection.
2. **Claims 1, 3, 4** have been amended.
3. **Claim 6** has been cancelled.
4. **Claims 1-5** are currently pending.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pande et al. (US 2006/0111143 A1) in view of Paalasmaa e al. (2005/0076056 A1), hereinafter referenced as Pande and Paal.

Consider **claim 1**, Pande discloses automatically saving, in the mobile terminal, the cell ID of the network which contains the geographic location where the capture of at least one image was performed using the mobile terminal (**Para 0053, Figs. 5, 6, where Pande discloses generating the image, determining cell sites characteristics data, time, map position i.e. cell ID, saving cell sites characteristics, location data and image in the memory**); automatically linking the cell ID with a characterization identifier linked to the image capture and entered using the terminal, to form a pair of these IDs,

said characterization identifier having alphabetical characters describing a location, a name or an activity (**Figs. 5, 6, where Pande discloses transmitting the generated image and cell site characteristics to the service center, therefore forming a pair of IDs**), and automatically saving, in the mobile terminal, the formed ID pair (**Para 0053, where Pande discloses saving cell sites characteristics, location data and image in the memory**).

Pande does not explicitly disclose a characterization identifier linked to the image capture and entered using the terminal and said characterization identifier having alphabetical characters describing a location, a name or an activity. Paal discloses a characterization identifier linked to the image capture and entered using the terminal and said characterization identifier having alphabetical characters describing a location, a name or an activity (**Para 0022, where Paal discloses taking an image and providing the image with the metadata with description of the image**).

Therefore it would have been obvious to one ordinary skill in the art at the time the invention was made to modify Pande with the teachings of Paal so as to providing the user with the ability to manage large amount of media items as discussed in **Para 0007**.

Consider **claim 2**, the combination teaches everything claimed as implemented above (see claim 1). In addition, Paal discloses wherein the forming of the ID pair is performed by automatically linking the respective IDs of at least two cells of a cell area, with a unique characterization identifier linked to the capture of at least one image performed in the at least two cells of the cell area (**Para 0023, where Paal discloses a**

group of cell IDs corresponding to the same location, therefore automatically linking the respective IDs of at least two cells of a cell area).

Consider **claim 3**, the combination teaches everything claimed as implemented above (see claim 1). In addition, Pande discloses that during an image capture automatically comparing the cell ID containing the geographic location of the image capture with the ID pairs saved in the mobile terminal (**Para 0017, 0061, Figs. 5, 6, where Pande discloses the wireless device taking the image and deriving the position data, therefore comparing the cell ID containing the geographic location of the image capture with the ID pairs**), and automatically linking the cell ID containing the geographic location of the image capture with the characterization identifier linked to the corresponding image capture, the pair formed by said cell ID containing the geographic location of the image capture and the characterization identifier linked to the image capture being already saved in the mobile terminal (**Figs. 5, 6, where Pande discloses transmitting the generated image and cell site characteristics to the service center, therefore forming a pair of IDs**). Further, Paal discloses the characterization identifier linked to the image capture being already saved in the mobile terminal (**Para 0022, where Paal discloses taking an image and providing the image with the metadata with description of the image**).

Consider **claim 4**, the combination teaches everything claimed as implemented above (see claim 1). In addition, Pande discloses during an image capture with the first terminal, automatically detecting at least one second mobile terminal placed in an environment close to the geographic location where the image capture is performed

with the first terminal **(Para 0049, where Pande discloses sending the image to another wireless device, therefore detecting at least one second mobile terminal);** automatically sending, from the first terminal to the at least one second surrounding mobile terminal detected, a request containing the cell ID containing the geographic location of the image capture **(Para 0061, Figs. 5, 6, where Pande discloses that the method can be performed in the wireless devices, therefore sending the cell ID containing the geographic location of the image capture to the second terminal);** automatically comparing, in each at least one second surrounding terminal, the cell ID containing the geographic location of the image capture received in the request sent by the first terminal with the ID pairs saved in the second terminal **(Para 0061, Figs. 5, 6, where Pande discloses that the method can be performed in the wireless devices, therefore comparing the cell ID containing the geographic location of the image capture with the ID pairs saved in the second terminal);** automatically sending to the first terminal the characterization identifier linked to the cell ID containing the geographic location of the image capture received in the request sent by the first terminal **(Para 0061, Figs. 5, 6, where Pande discloses that the method can be performed in the wireless devices, therefore the characterization identifier linked to the cell ID containing the geographic location of the image capture);** automatically linking the cell ID containing the geographic location of the image capture with the characterization identifier linked to the image capture sent to form a pair of these IDs; and automatically saving, in the first terminal, the formed ID pair **(Para 0061, Figs. 5, 6, where Pande discloses that the method can be performed in the**

wireless devices). Further Paal discloses the characterization identifier linked to the image capture (**Para 0022, where Paal discloses taking an image and providing the image with the metadata with description of the image**).

Consider **claim 5**, the combination teaches everything claimed as implemented above (see claim 1). In addition, Pande discloses wherein the cell ID containing the geographic location of the image capture includes at least one character formed by a digit or an alphabetical letter (**Para 0053, Figs. 5, 6, where Pande discloses generating the image, determining cell sites characteristics data, time, map position i.e. cell ID, saving cell sites characteristics, location data and image in the memory, therefore the cell ID containing the geographic location of the image capture includes at least one character formed by a digit or an alphabetical letter**).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BABAR SARWAR whose telephone number is (571)270-5584. The examiner can normally be reached on MONDAY TO FRIDAY 09:00 A.M -05:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NICK CORSARO can be reached on (571)272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BS/

/BABAR SARWAR/
Examiner, Art Unit 2617

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